

Rev. 12/2018

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AUG 26 2021

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

GARY L. CORBRAY SR. 847549

Plaintiff's full name and prisoner number

Plaintiff,

21-CV-5623 BHG-NLP

v. State of WA Department of Corrections

Robert Herzog

Julie Martin

Jeannie Miller, et al.

Defendant's/defendants' full name(s)

Case No. _____

(leave blank – for court staff only)

**PRISONER CIVIL RIGHTS
COMPLAINT**

Jury Demand?

Yes

No

(If you cannot fit all of the defendants' names in the space provided, please write "see attached" in the space above and attach additional sheets of paper, as necessary, with the full list of names. The names listed here must be identical to those in Section II. Do not include addresses here. **Individuals whose names are not included in this section will not be considered defendants in this action.**)

WARNINGS

1. Do not use this form if you are challenging the validity of your criminal conviction or your criminal sentence. If you are challenging your conviction or sentence, or if you are seeking restoration of good-time credits that would shorten your sentence, you must file a Petition for Writ of Habeas Corpus. If you use this form to challenge your conviction or sentence, you risk having your claim dismissed. Separate forms are available for filing a habeas petition.

2. Under the Prison Litigation Reform Act ("PLRA"), you are required to exhaust all remedies in your institution's grievance system that are available to you before filing suit. This generally means that you must file a grievance and, if it is denied, appeal it through all available levels of review. Your case may be dismissed if you fail to exhaust administrative remedies, unless the administrative grievance process was not "available" to you within the meaning of the PLRA. You are not required to plead or show that you have exhausted your claim in this complaint.

3. Please review your complaint carefully before filing. If your case is dismissed, it may affect your ability to file future civil actions while incarcerated without prepaying the full filing fee. Under the PLRA, a prisoner who has had three or more civil actions or appeals dismissed as frivolous, malicious, or for failure to state a claim cannot file a new action without first paying the full filing fee, unless the prisoner is in imminent danger of serious bodily injury.

4. Under Federal Rule of Civil Procedure 5.2, papers filed with the court, including exhibits or attachments to a complaint, may not contain certain information, which must be modified as follows:

Do not include:

- a full social security number
- a full birth date
- the full name of a minor
- a complete financial account number

Instead, use:

- the last four digits
- the birth year
- the minor's initials
- the last four digits

5. At this stage of the proceeding, you need not submit exhibits, affidavits, grievances, witness statements, or any other materials with this complaint to the Clerk's Office. Any documents you submit *must relate directly to the claims you raise in this lawsuit*. They will become part of the court record and *will not be returned to you*.

I. PLAINTIFF INFORMATION

CORBRY GARY L. SR.

Name (Last, First, MI)

NONE

Aliases/Former Names

847549

Prisoner ID #

Monroe Corrections Complex

Place of Detention

P.O.BOX 514 Unit SOU-D109

Institutional Address

Monroe

County, City

WA

State

98272-0574

Zip Code

Indicate your status:

- Pretrial detainee
- Civilly committed detainee
- Immigration detainee

- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner

II. DEFENDANT INFORMATION

Please list the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint. Make sure that the defendant(s) listed below are identical to those contained in the caption on the first page of the complaint. Attach additional sheets of paper as necessary.

Defendant 1: Robert Herzog

Name (Last, First)

Assistant Secretary Prison Division

Current Job Title

State of Washington Department of Corrections

Current Work Address

Olympia

County, City

WA

State

98504-7100

Zip Code

Defendant 2: Julie Martin

Name (Last, First)

Deputy Secretary

Current Job Title

State of Washington Department of Corrections

Current Work Address

Olympia

County, City

WA

State

98504-7100

Zip Code

Defendant 3: Jeannie Miller

Name (Last, First)

Assistant-Administrative Operation Division

Current Job Title

State of Washington Department of Corrections

Current Work Address

Olympia

County, City

WA

State

98504-7100

Zip Code

III. STATEMENT OF CLAIM(S)

In this section, you must explain what you believe each defendant did to violate your civil rights, and if you know, identify the federal statutory or constitutional right you believe was violated.

If you believe the defendant(s) violated your civil rights in more than one way, explain each violation under a different count. For example, if you believe you received constitutionally inadequate medical care and your religious rights were substantially burdened, include one claim under "Count I" (i.e., medical) and the other claim under "Count II" (i.e., religion).

Number your paragraphs. For example, in Count I, paragraphs should be numbered 1.1, 1.2, 1.3, etc., and in Count II, paragraphs should be numbered 2.1, 2.2, 2.3, etc. The first two paragraphs of each Count have been numbered for you.

If you have more than three counts, attach additional pages and follow the same format for each count.

If you attach documents to support the facts of your claim(s), you must specify which portion of the document(s) (i.e., page and paragraph) you are relying on to support the specific fact(s) of your claim(s). If you do not specify the portion of the supporting document(s), the Court may disregard your document(s).

COUNT I

Identify the first right you believe was violated and by whom:

1.1 My right to live comfortably, peaceably, free of inhumane treatment physical and psychological abuse, mistreatment of any kind.

State the facts of your first claim below. Include all the facts you consider important. Be specific about dates, times, locations, and the names of the people involved. Describe exactly what each specific defendant did or failed to do that caused you injury or violated your rights, and include any other facts that show why you believe what happened was wrong. If you need additional space, you may attach extra sheets.

1.2 Your Honor/s this is very very difficult for me to write and explain. But since I've been in this WA State D.O.C. System the staff/and other inmates as well as some of my gang affiliated and drug fused family have been playing these psychological mind game, of depriving me of sleep

my right to live peacefully denying me a place of peace and tranquility by playing constant mind and sexual head/psychological games, access to law library, lying on me and telling each other and other inmates of things that I have not done having me jumped, rediculed through this weird frequency radio warfare (My primary Military Occupational Specialty) was communication both in the U.S. M.C. and A.N.G. I've been jumped 4 different occasions and treated worse then animals, constantly being told I'm never getting out of prison, and if I live and make it out I'm to be killed! Your Honor as I stated earlier it is very unnerving and hard to explain on paper, I may be dead by the time you receive these documents, I'm a United States Marine(Former) w/2 Honorable discharges and a Army National Guard (Formerly) w/1 Honorable discharge, all of my property, paperwork, all my electronics, Christmas Package, shoes, hygiene and medicinal ointments. I'm not on any mental meds, there was something put in my body when I was rendered unconscious at Dearness Hospital, but I have something in my body that enables said communications to take place, no joke nor crazy! I'm afraid of even informing you because as stated to me they say that some of you know about this and allow it this privacy, torturing, belittling technology!!!

State with specificity the injury, harm, or damages you believe you suffered as a result of the events you described above in Count I. Continue to number your paragraphs.

My physical health, association with my family, PTSD afraid of people, photo's of family 30 gone, 2 Certificates (Federal) from Secretary Of Defense ROBERT M. GATES for the MarineCorps and U.S.Army for my Honorable Service, again all my property was taken, stolen by D.O.C.

COUNT II

Identify the second right you believe was violated and by whom:

2.1 To be compensated for all my lost/stolen property, and compensated for keeping me in prison wrongfully and for all my physical and purposeful psychological damage!

State the facts of your second claim below. Include all the facts you consider important. Be specific about dates, times, locations, and the names of the people involved. Describe exactly what each specific defendant did or failed to do that caused you injury or violated your rights, and include any other facts that show why you believe what happened was wrong. If you need additional space, you may attach extra sheets.

2.2 I was sent to WSP twice after I had been given a couple of no contacts there to Mark Corbin Jr the others I can't remember and their names were with the paperwork that inadvertently came up missing along with lawsuits I had started, I written 100 letters to WSP, Clallam Bay Correction Center Property Ofcs, and to the 3 individuals listed and received no responses and moved from between 5 different institutions in a 10 month period with no property and given paperwork from an officer Heinbenger and my then counselor Leverington, Erick. stating that my property was on the way to CBCC, and then I was sent to Monroe Corrections Center a month later and informed by Sergeant Teressa Shaw in December 2020 that my property was disposed of here at Monroe Correctional Complex, a complete and Egregiously Abuse of Power and Authority and orchestrated and allowed by the 3 listed plaintiff's and Washington State Department of Corrections whom allow the staff to humiliate and play these psychological games with others for their own personal gratifications and gains!!!

State with specificity the injury, harm, or damages you believe you suffered as a result of the events you described above in Count II. Continue to number your paragraphs.

Physically Assaulted 4 times, mental torment, loss of money, property, family photos, Federal Issued Cold War Certificated by the Department of Defense for my U.S.M.C. an Army service and my OD214' X 3, and inhumane treatment and living and a form of PTSD.

COUNT III

Identify the third right you believe was violated and by whom.

3.1 Your Honor I'm no lawyer and I've been and am being so
psychologically messed with right now it hard for many more words on paper!

State the facts of your third claim below. Include all the facts you consider important. Be specific about dates, times, locations, and the names of the people involved. Describe exactly what each specific defendant did or failed to do that caused you injury or violated your rights, and include any other facts that show why you believe what happened was wrong. If you need additional space, you may attach extra sheets.

3.2 It's truly hard to believe I've been in prison for 17 years for something I did not do in the first place; but to be continuously toyed with psychologically, physically, monetarily is truly demeaning and very scary! I do nothing/anything but mind my own business and am continuously lied on and threatened for someone else's gratification!

State with specificity the injury, harm, or damages you believe you suffered as a result of the events you described above in Count III. Continue to number your paragraphs.

Damage to my shoulders, knees, head, lower back, face/jaws, psychological damage, PTSD.

IV. RELIEF

State exactly what you want the Court to do for you. For example, you may be seeking money damages from an individual defendant, you may want the Court to order a defendant to do something or to stop doing something, or you may want both kinds of relief. Make no legal arguments. Cite no cases or statutes.

I would appreciate speaking to someone from the court system and a psych in person broader terms so that they can see I'm not mental inmate to get a full physical not from prison staff because they are a gang and liars!!! and they think they're gods and can do what they can at will!!!

V. SIGNATURE

By signing this complaint, you represent to the Court that you believe the facts alleged to be true to the best of your knowledge, that you believe those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

23 August 2021

Dated

Sony L. Colley Sr.

Plaintiff's Signature

Gary L. Gerbray 847549
Monroe Correctional Complex
P.O. BOX 514500 - D-103
Monroe, WA 98272-0514



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AT SEATTLE
CLERK U.S. DISTRICT COURT
BY
WESTERN DISTRICT OF WASHINGTON
DEPUTY

Clerk; U.S. District Court
700 Stewart Street, Suite 2310
Seattle, WA 98101-1271

Legal Mail

10/04/21 8/23/21